



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 5118**  
Hiroyuki TAWADA et al. : Docket No. 2002\_0371A  
Serial No. 10/088,415 : Group Art Unit 1626  
Filed March 18, 2002 : Examiner Andrea D.S. Small

PROCESS FOR THE PREPARATION OF  
OXAZOLE DERIVATIVES

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

---

**RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**

**MAY 15 2003**

Sir:

**TECH CENTER 1600/2900**

This is responsive to the Official Action dated April 14, 2003.

The Official Action constitutes a requirement for restriction.

Applicants elect to prosecute the invention of Group I, claims 1-12, with traverse.

It is respectfully submitted that claim 14 of Group III should be examined with the elected claims. Although claim 14 is directed to a method of producing a different end compound, step 1 of claim 14 is the same as the method of claim 1, and produces the compound according to claim 1 as an intermediate compound, except wherein R<sup>3</sup> is limited to COOR<sup>7</sup>. Please see page 58, line 19 to page 59, line 7 of the specification.

Accordingly, it is respectfully submitted that it is appropriate for claim 14 to be examined in the present application since, if the method of claim 1 is patentable, the method of claim 14 must be patentable.

Favorable action on the merits is solicited.

Respectfully submitted,

Hiroyuki TAWADA et al.

By: Warren Cheek  
Warren M. Cheek, Jr.  
Registration No. 33,367  
Attorney for Applicants

WMC/edg  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
May 14, 2003